

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

In re:)	
)	CASE NO. 19-13708-JDW
ANTONY ALEXANDER,)	
)	CHAPTER 13
Debtor.)	
)	

**RESPONSE OF AMERICAN EXPRESS NATIONAL BANK TO
DEBTOR'S OBJECTIONS TO CLAIM NUMBERS 17 AND 18**

American Express National Bank (American Express), by and through its undersigned counsel, hereby responds to the Debtor's Objections to Claim Numbers 17 (#57) and 18 (#58), and in support thereof, avers as follows:

1. On September 13, 2019, Antony Alexander (Debtor) filed a voluntary petition under Chapter 13, Title 11 of the United States Code and relief was ordered thereon.

2. On April 6, 2020, American Express filed two (2) general unsecured claims in the amounts of \$7,467.14 and \$2,545.00 for Debtor's credit card account numbers ending in 1004 and 1003, respectively. The claims are designated as Claim Numbers 17 and 18 (Claims 17 and 18) on the Court's Claims Register.

3. On April 14, 2020, the Debtor filed Objections to Claims 17 and 18 alleging the claims are late filed. The Debtor requests the claims be disallowed and paid \$0.00 through the plan.

RESPONSE

4. On April 6, 2020, the same day American Express filed Claims 17 and 18, American Express filed a Motion to Allow Late Claims (Docket No. 51). American Express was unaware of any extended deadline to file its claims, advising the Court in its Motion that it was not included in the Certificate of Service for the Notice of Chapter 13 Bankruptcy Case issuing the proof of claim deadline nor did it appear in the original bankruptcy schedules. Only upon Debtor's Response to the Motion, where Debtor pointed out on page 11 of 17 of the Amended Schedules the attached Notice indicating an additional timeline for added creditors, was American Express made aware an extended deadline has been given. Notably, the Notice did not even appear as a separate document on the docket but was buried in the Amended Schedules. Accordingly, American Express argues the notice was insufficient under the circumstances to provide a reasonable time to file a timely claim.

WHEREFORE, American Express National Bank respectfully requests that the Debtor's Objections to Claim Numbers 17 and 18 be heard together with American Express National Bank's Motion to Allow Late Claims scheduled for May 26, 2020 at 1:30 p.m.

Respectfully submitted,

DATED: April 27, 2020

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CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on the 27th day of April, 2020, I served or caused to be served, true and correct copies of the **Response of American Express National Bank** that was electronically served via the Court's CM/ECF System on the following parties:

U.S. Trustee
Locke D. Barkley, Chapter 13 Trustee
Robert H. Lomenick, Jr., Esquire

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